

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

FLOR DE MARIA CACHO, et. al.
Defendants

CIVIL NO. 97-2133\

MOTION IN COMPLIANCE WITH COURT ORDER

TO THIS HONORABLE COURT:

COMES NOW, the United States of America, represented through its undersigned attorneys and, very respectfully, STATES and PRAYS:

1. On March 17, 2004, this Honorable Court entered Order against the appearing party to "SHOW CAUSE within ten (10) days after the notice of the Order as "to why it should not be sanctioned for failing to timely comply with the Court's Order by its own requested deadline."
2. The United States of America, very respectfully inform this Court that since the Judgment was entered in this case, the undersigned had been in constant communication with the Judgment Fund of the Department of Treasury and the Office of General Counsel for the Health and Human Services Department (HHS).
3. HHS through its new director, Robert Keith is currently securing payment as ordered by this Court.
4. We had been in contact with defendants' counsel, Ruben Nigaglioni who provided us with the information needed to ensure payment.

5. This morning we contacted the Office of the General Counsel and spoke with Ms. Stephanie Davis who informed us that payment will be issue electronically and in should reflects at defendants counsel's account on or about Tuesday, March 30, 2004
6. The undersigned request from this Honorable Court that it has never been the intention of the United States nor the undersigned to disobey the Orders of the Honorable Court but, the underlying problems regarding the issue of EAJA award from both the Judgment Fund and HHS was out of the control of both the United States Attorney's Office and the undersigned but, in any event, this office and the undersigned extend our excuses for any inconvenience this situation may cause to this Honorable Court and defendant's counsel.

WHEREFORE, the United States of America, very respectfully requests from this Honorable Court to TAKE NOTICE OF THE ABOVE STATED.

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Ruben Nigaglioni, Esq.,

RESPECTFULLY SUBMITTED in San Juan, Puerto Rico, this 26th day of March 2004.

H.S. GARCIA
United States Attorney

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